



PAN AM RAILWAYS

IRON HORSE PARK
NO. BILLERICA, MA 01862



LEGAL DEPARTMENT (978) 663-1215

June 30, 2010

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

227384

**Re: STB Docket No. AB-30 (Sub-No. 71X) – Boston and Maine
Corporation – Abandonment and Discontinuance of Service –
Over Saugus Branch – Essex County, MA - Notice of Exemption**

Dear Ms. Brown:

Enclosed for filing with the Board in the subject docket are an original and ten copies of Boston and Maine Corporation's Verified Notice of Exemption. Also enclosed is a check totaling \$3,700 for the filing fees.

Should you have any questions in regard to this filing, please do not hesitate to contact the undersigned at (978) 663-1215. Thank you in advance for your assistance in this matter.

FEE RECEIVED

JUL 02 2010

**SURFACE
TRANSPORTATION BOARD**

Very truly yours,

Robert B. Burns
Corporate Counsel
Boston and Maine Corporation

Encls. – Original and 10 copies

FILED

JUL 02 2010

**SURFACE
TRANSPORTATION BOARD**

ENTERED
Office of Proceedings

JUL 02 2010

Part of
Public Record

ORIGINAL

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB 32 (Sub No. 71x)

**BOSTON & MAINE CORPORATION
-ABANDONMENT AND DISCONTINUANCE OF SERVICE-
SAUGUS BRANCH, ESSEX COUNTY, MASSACHUSETTS**



VERIFIED NOTICE OF EXEMPTION

Boston & Maine Corporation (the "B&M") files this Verified Notice of Exemption pursuant to the Board's regulations at 49 C.F.R. §1152.50. This Notice of Exemption seeks to abandon and discontinue service by B&M over a line of railroad known as the Saugus Branch in Saugus, MA, extending from milepost 2.69 to milepost 12.43 (the "Line") in Essex County, Massachusetts. In accordance with the aforementioned regulations, B&M make the following responses:

RESPONSE TO 49 C.F.R. SECTION 1152.50(d)(2):

1. Proposed Consummation Date.

The proposed consummation date of this discontinuance is on or about August 27, 2010.

2. Certification Required in Section 1152.50(b).

The required certification is set forth as **Exhibit B** to this Notice of Exemption.

3. Information required in Section 1152.22(a)(1-4),(7),(8) and (e)(4).

(a) General.

(1) Exact name of applicant.

Boston & Maine Corporation

**(2) Whether applicant is a common carrier by railroad
subject to the Interstate Commerce Act.**

B&M and ST are common carriers by railroad

subject to the Interstate Commerce Act.

(3) Relief sought.

B&M and ST seek to abandon and discontinue service over the line.

(4) Detailed map of the line.

Map is attached hereto as **Exhibit A**

(7) Name, title and address of representative of applicant to whom correspondence should be sent.

Robert B. Burns, Esq.
Boston and Maine Corporation
Iron Horse Park
North Billerica, MA 01862

(8) United States Postal Zip Codes that the line traverses.

Zip Code(s): 02149 (Everett, MA)
02151 (Revere, MA)
02148 (Malden, MA)
01905 (Lynn, MA)
01906 (Saugus, MA)

(e) Rural and community impact.

(4) Statement of whether the properties proposed to be abandoned are suitable for use for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

B&M is unsure about the suitability of the Line for public non-rail purposes. As of the effective date of this abandonment, B&M's easement interests shall terminate and title to the Line shall vest solely in the Massachusetts Bay

Transportation Authority (MBTA).

4. The Level of Labor Protection

B&M understands that, in exempting the proposed abandonment and discontinuance, the Board does not relieve the carrier of its statutory obligation to protect the interests of employees. See 49 C.F.R. § 1152.50(c). Accordingly, B&M anticipates that the Board will impose the conditions set forth in Oregon Short Line R. Co. –Abandonment- Goshen, 360 I.C.C. 91 (1979), for the benefit of employees who may be adversely affected by the proposed abandonment and discontinuance.

5. Certificate of Compliance with the Notice Requirements of Section 1152.50(d)(1).

The required certificate is set forth as **Exhibit C** to this Notice of Exemption.

6. Environmental Report and Historical Report.

The Environmental /Historical Report required by 49 C.F.R. 1105.7 and 1105.8 is attached as **Exhibit D** to this Notice of Exemption. Attached, as **Exhibit E**, is a certificate affirming B&M's compliance with 49 C.F.R. 1105.11.

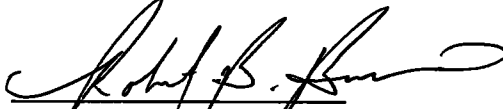
7. Newspaper Notice.

The Newspaper Notice required by 49 C.F.R. 1105.12 was published on June 24, 2010, in the Boston Globe. An affidavit/certification from this newspaper is attached.

8. Verification.

The required verification is set forth as **Exhibit F** to this Notice of Exemption.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Robert B. Burns", written over a horizontal line.

Robert B. Burns, Esq.
Corporate Counsel
Boston & Maine Corporation
Iron Horse Park
North Billerica, MA 01862

Dated: June 30, 2010

Abandonment Plan – Saugus Branch

EXHIBIT A

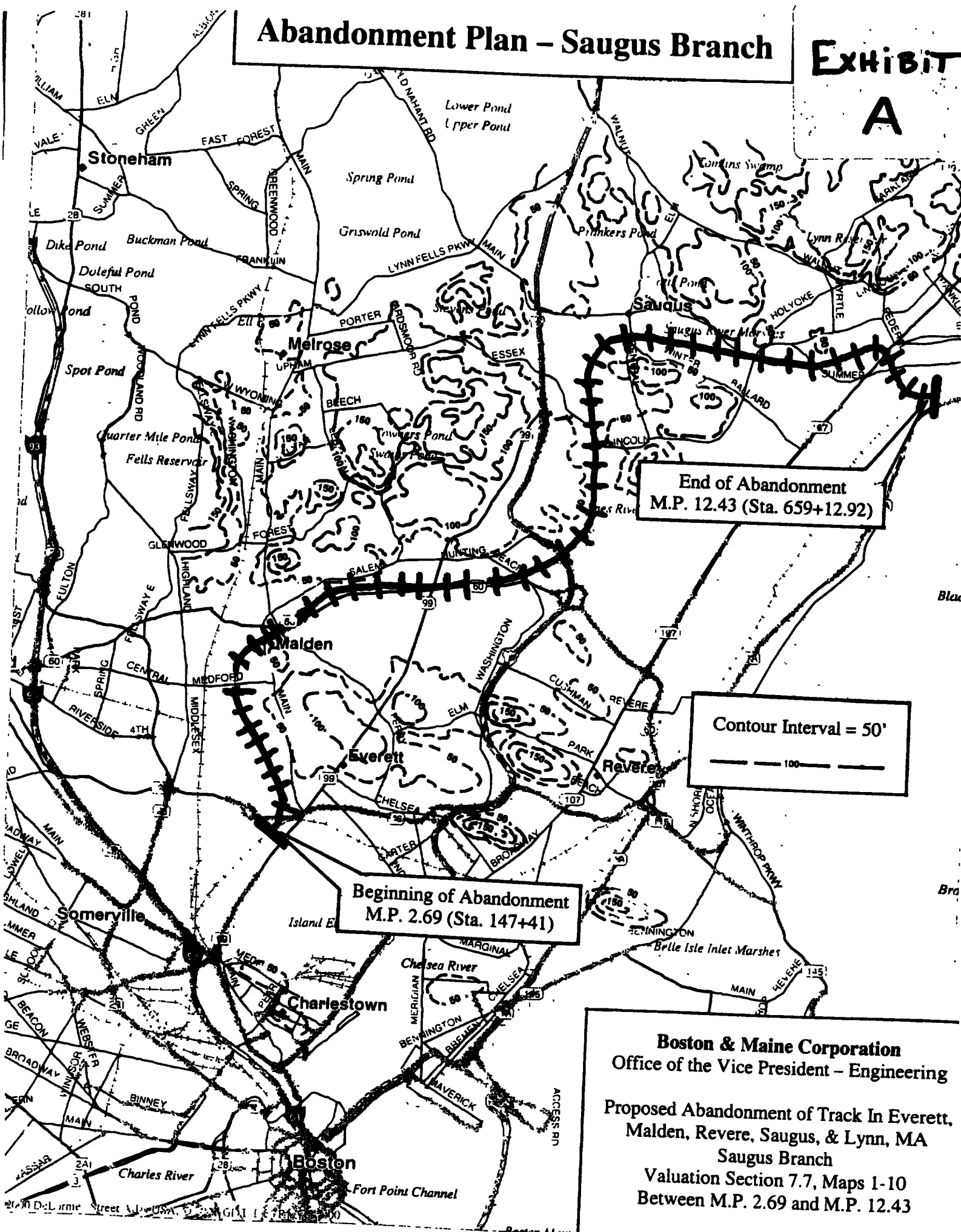


EXHIBIT B

CERTIFICATION REQUIRED

IN 49 C.F.R. SECTION 1152.50(b)

In accordance with 49 C.F.R. Section 1152.50(b), I hereby certify that, with respect to the line, which is the subject of the Notice of Exemption in Docket No. AB 32 (Sub No. 71x) and: (1) no local traffic has moved over the line for at least two years prior to the date hereof; and (2) there is no overhead traffic on the line; and (3) no formal complaint filed by a user of rail service on the line (or state or local agency acting on behalf of such user) regarding cessation of service over the line is either pending with the Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period prior to the date hereof. The foregoing certification is made on behalf of the Boston & Maine Corporation by the undersigned after due and careful investigation of the matters herein certified and based on the best knowledge, information and belief of the undersigned.


Robert B. Burns

Dated: June 30, 2010

EXHIBIT C

**CERTIFICATE OF COMPLIANCE WITH
NOTICE REQUIREMENTS OF
49 C.F.R. 1152.50 (d)(1)**

In accordance with 49 C.F.R. Section 1152.50(d)(2), I hereby certify that:

On June 15, 2010, I caused to be served by First Class Mail, postage pre-paid, the notice required by 49 C.F.R. Section 1152.50(d)(1), upon:

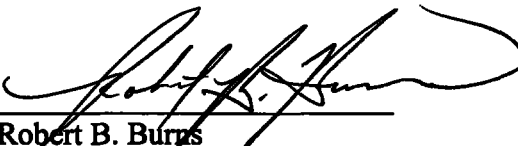
Geoffrey G. Why, Commissioner
Commonwealth of Massachusetts
Department of Telecommunications and Cable
1000 Washington Street, Suite 820
Boston, Massachusetts 02118-6500

Office of Special Assistant for
Transportation Engineering
Railroads for National Defense Program
Military Traffic Management Command
Transportation Engineering Agency
720 Thimble Shoals Blvd. – Suite 130
Newport News, VA 23606

Regional Director
National Park Service, NE Region
Recreation Resources Division
U.S. Customs House
200 Chestnut St., 5th Floor
Philadelphia, PA 19106

Chief of Forest Service
U.S. Department of Agriculture
P.O. Box 96090
Washington, DC 20090-6090

Dated: June 30, 2010


Robert B. Burns

SAUGUS BRANCH
ENVIRONMENTAL/HISTORICAL REPORT

Docket No. AB 32 (Sub No. 71x)

I. ENVIRONMENTAL REPORT

The following information is provided in accordance with 49 C.F.R. § 1105.7 (e):

(1) Proposed Action and Alternatives

The Boston and Maine Corporation ("B&M") (the "Applicant") propose to abandon and discontinue service over a 9.74-mile portion of the so-called "Saugus Branch" line of railroad (the "Line"). A map of the proposed abandonment and discontinuance has previously been provided to all parties receiving this report, and is attached as Exhibit A.

Due to the inability to generate traffic over the Line, there is no reasonable alternative to abandonment and discontinuance.

(2) Transportation System

There will be no substantial effect on existing regional or local transportation systems or patterns

There is no passenger or freight traffic on the Line. Any traffic previously moving over the Line was rerouted well more than two years ago.

(3) Land Use¹

- (i) The Applicants believe that the proposed action is consistent with and in furtherance of local land use plans.**
- (ii) The Applicants believe the proposed action will have no effect or adverse impact on any prime agricultural land.**
- (iii) This action is outside the boundary of the Massachusetts coastal zone.**
- (iv) Applicants are unsure whether the right-of-way is suitable for alternative public use under 49 U.S.C. 10906.**

(4) Energy

- (i) The transportation of energy resources will not be effected by the proposed action.**
- (ii) The proposed action will have no effect on the movement and/or recovery of recyclable commodities.**
- (iii) The proposed action will increase overall energy efficiency in that it will allow Applicants to eliminate their potential responsibility for costly and energy-consuming maintenance operations for an unused portion of line.**
- (iv) The proposed action will not cause a diversion from rail to motor carrier in excess of the threshold levels set forth at § 1105.7 (e)(4)(iv)(A) or (B).**

(5) Air

The proposed action will not result in any of the increases set forth at § 1105.7 (e)(5).

¹ The Applicants attach to this Environmental/Historical Report as an Appendix, all correspondence received from federal, state, and local authorities and agencies in response to the Applicants' request for comments regarding the proposed abandonment/discontinuance of service.

(6) Noise

The proposed action will not result in or exceed any of the thresholds set forth at § 1105.7 (e)(6).

(7) Safety

(i) The proposed action will have no adverse effect on public health and safety.

(ii) No hazardous materials will be diverted to highway transportation.

(iii) No known hazardous waste sites or spills exist on the Line.

(8) Biological Resources

(i) Applicants know of no endangered or threatened species or critical habitats that will be affected by the proposed action. The Applicants previously requested comments from the U.S. Fish and Wildlife Service in this regard. The Service responded and has advised Applicants that “no federally-listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service are known to occur in the project area(s).”

(ii) Applicants believe no national or state parks or forests will be affected by the proposed action.

(9) Water

(i) The Applicant contemplates no action inconsistent with federal, state and/or local water quality standards.

(ii) The Applicant does not believe the proposed action will require any permits under § 404 of the Clean Water Act. No salvage operations will be undertaken. No designated wetlands or 100-year flood plains will be affected by the proposed action.

(iii) Permits under § 402 of the Clean Water Act are not required for the

proposed action. However, no salvage operations will be undertaken.

(10) **Proposed Mitigation**

Because no adverse environmental impacts are expected to result from the proposed action, no mitigation will be needed or is planned.

(11) **Additional Information for Rail Constructions**

The proposed action is not a rail construction proposal, so this section does not apply.

II. HISTORIC REPORT

The following information is provided in accordance with 49 C.F.R. § 1105.8 (d):

(1) **Maps**

A map of the line is attached hereto as Exhibit A.

(2) **Description of Right-of-Way**

The portion of Line at issue is approximately 9.74 miles in length. The width of the right-of-way varies from 38 feet to 83 feet +/- . The attached topographic map indicates the Line's topography.

(3) **Photographs of Railroad Structures**

The Applicants know of no sites or structures on the Line that are 50 years or older or that are listed in the National Register of Historic Places. The Applicants have requested comments from the Massachusetts Historic Preservation Officer in regard to the anticipated effect of the proposed action on historical resources. The Massachusetts Historical Commission ("MHC") has responded by letter, and has no objection to the proposed action.

(4) Construction Dates

The Applicants know of no sites or structures on the Line that are 50 years or older or that are listed in the National Register of Historic Places.

(5) History of Operations

The Line was constructed in 1853 and served as both a freight and passenger line. Passenger service ceased in 1957 and freight service ended in 1998. No local or overhead traffic has moved over the Line for at least two years. The proposed abandonment will not effect carrier operations in the area.

(6) Summary of Useful Documents

The Applicants know of no sites or structures on the Line that are 50 years or older or that are listed on the National Register of Historic Places.

(7) Opinion as to Historical Significance

The Applicants know of no sites or structures on the Line that are 50 years or older or that are listed in the National Register of Historic Places. The Applicants have requested comments from the Massachusetts Historic Preservation Officer in regard to the anticipated effect of the proposed action on historical resources. The Massachusetts Historical Commission ("MHC") has responded by letter, and has no objection to the proposed action. The Applicants are not aware of any culturally significant locations, archaeological sites or unique landforms located along the Line or that will be affected by the proposed action.

(8) Description of Prior Subsurface Disturbance

The Applicants know of no prior subsurface ground disturbances or fill, or environmental conditions that might affect the archeological recovery of resources and the surrounding terrain.

A handwritten signature in black ink, appearing to read 'R. Burns', is written over a horizontal line.

Robert B. Burns, Esq.
Corporate Counsel
Boston & Maine Corporation
Iron Horse Park
North Billerica, MA 01862

Dated: JUNE 4, 2010

III. CERTIFICATE OF SERVICE

This certifies that the Applicants have served copies of this

Environmental/Historical Report upon and, prior to such service, consulted, or

attempted to consult, with the following parties:

Debra Jean, CDBG
Financial Assistant
Department of Housing and
Community Development
One Congress Street, 10th Floor
Boston, MA 02114

Regional Director
Commonwealth of Massachusetts
Department of Environmental Protection
205B Lowell Street
Wilmington, MA 01887

Commonwealth of Massachusetts
Executive Office of Environmental Affairs
Coastal Zone Management Program
251 Causeway Street, STE 800
Boston, MA 02114-2138

Mayor
City of Everett
484 Broadway
Everett, MA 02149

Mayor
City of Lynn
3 City Hall Square
City Hall – Room 306
Lynn, MA 01901

Mayor
City of Malden
200 Pleasant Street
Malden, MA 02148

Mayor
City of Revere
281 Broadway
Revere, MA 02151

Town Manager
Town of Saugus
298 Central Street
Saugus, MA 01906

Office Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency
New England, Region 1
1 Congress Street, STE 1100
Boston, MA 02114-2023

New England Field Office
U.S. Department of Interior
Fish & Wildlife Service
70 Commercial Street, STE 300
Concord, NH 03301

Chief, Public Affairs Office
New England District
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

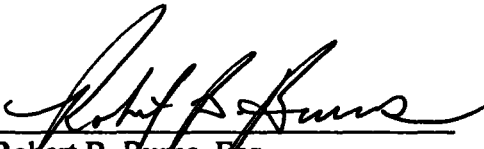
Regional Director
Northeast Region
National Park Service
U.S. Customs House
200 Chestnut Street, 5th Floor
Philadelphia, PA 19106

District Conservationist
USDA – NRCS
319 Littleton Road, STE 205
Westford, MA 01886-4133

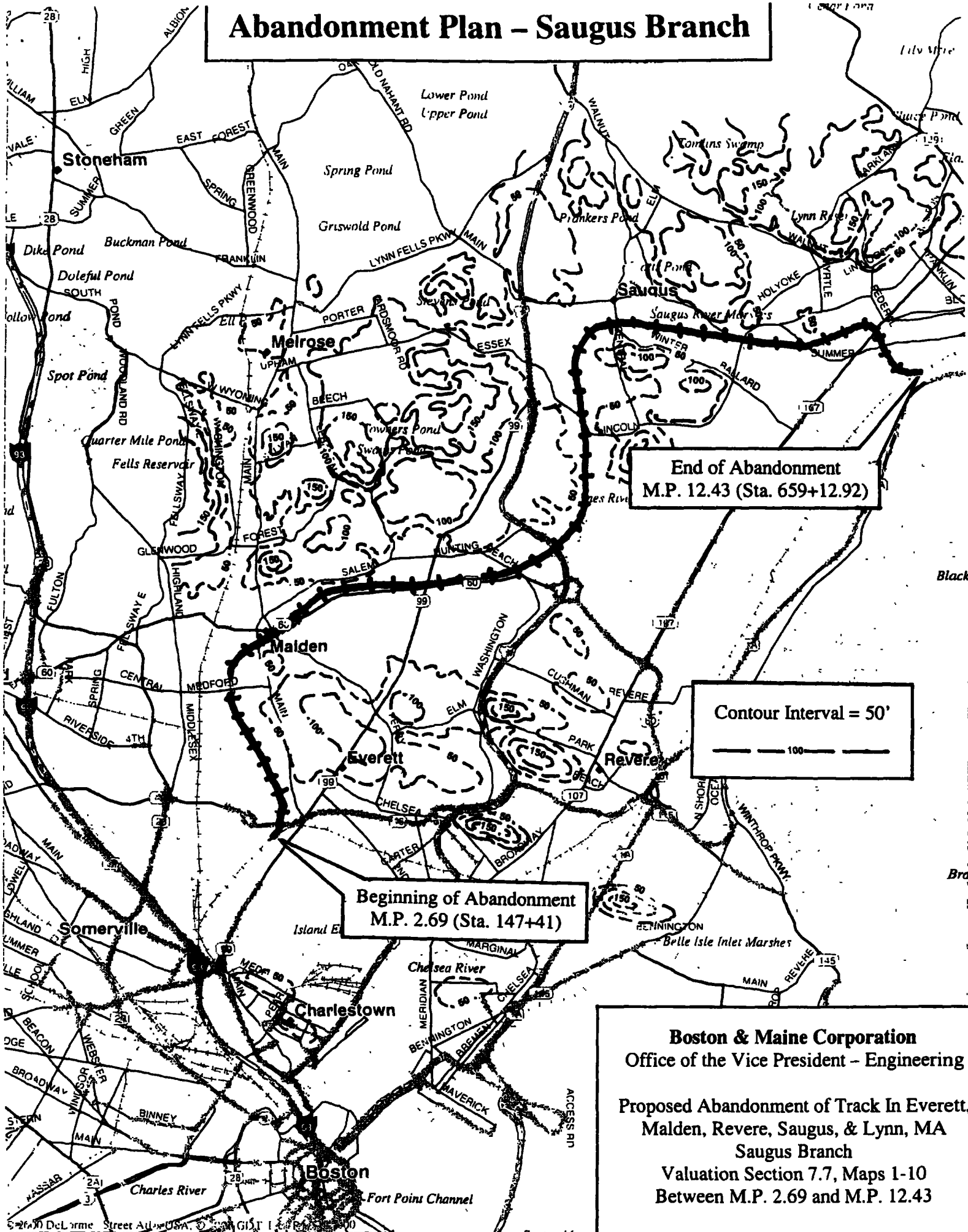
Spatial Reference System Division
National Geodetic Survey
NOAA, N/NGS2
1315 East-West Highway
Silver Spring, MD 20910-3293

Director of Architectural Review
Massachusetts Historical Commission
220 Morrissey Blvd.
Boston, MA 02125

Dated this 4th day of June, 2010.


Robert B. Burns, Esq.

Abandonment Plan – Saugus Branch



APPENDIX

cc: Town Manager



United States Department of Agriculture

Natural Resources Conservation Service
319 Littleton Road, Suite 205
Westford, MA 01886

978-692-1904 x3
fax 978-392-1305
www.ma.nrcs.usda.gov

June 14, 2010

Robert B. Burns, Esq., Corporate Counsel
Springfield Terminal Railway Company
Boston & Maine Corporation
1700 Iron Horse Park
North Billerica, MA 01862

**RE: Abandonment of and Discontinuance of Service
Over Saugus Branch - AB 32 (Sub No. 71)**

Dear Sir:

I am not aware of any adverse effect that the proposed abandonment and discontinuance of service of the above mentioned rail line will have on agricultural resources or businesses in the area.

Sincerely,

A handwritten signature in cursive script that reads "Dan Lenthall".

Daniel J. Lenthall
District Conservationist

Burns,Robert

From: Simon Monroe [Simon.Monroe@noaa.gov]
Sent: Monday, June 14, 2010 1:57 PM
To: Burns,Robert
Cc: Surface Transportation Board; Surveyorlady@yahoo.com; Curt.Crow@noaa.gov; Gilbert Mitchell; Simon Monroe
Subject: [[NGS Response, STB Docket AB-32 (SUB NO. 071X)]]

Thank you for sharing your railroad abandonment environmental report for
Saugus, Essex and Suffolk Counties.

Approximately 06 geodetic survey marks may be located in the area described.
If marks will be disturbed by the abandonment, [THE RAILROAD] shall
consult with the National Geodetic Survey (NGS) at least 90 days prior to
beginning salvage activities that will disturb, or destroy any geodetic station
marks are described on the attached file. Additional advice is provided at
<http://geodesy.noaa.gov/marks/railroads/>

|-----|-----|~
|-----|-----|-----|-----|-----|-----|-----|

|....|MY2770|2 .|29/SCALED..|N422544.20005|W0710312.18318|D...|DANIELS
MALDEN CITY 1940

|....|MY2779|2 .|29/VERT ANG|N422534.46523|W0710403.79184|D...|JOSLYN
MALDEN CITY 1940

|....|MY2773|2 .|29/SCALED..|N422528.88690|W0710317.94349|D...|LINCOLN
MAGS 1934

|....|MY2800|2 .|29/SCALED..|N422623.23651|W0710113.70687|....|EAST END 2

|....|MY2710|3 .|29/SCALED..|N422622.65110|W0710131.28697|....|ROWE 1934

|....|MY2712|3 .|29/SCALED..|N422620.22160|W0710111.34342|....|WAITE II
1847

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Simon Monroe
Geodetic Services Division
National Geodetic Survey
NOAA - N/NGS12 - RM. 9202
1315 East/West Highway
Silver Spring, MD 20910-3282
Phone: 301-713-3242

**L7619 (NER-RSS/RP&C)
Information Request**

May 28, 2010

Robert B. Burns, Esq.
Corporate Counsel
Springfield Terminal Railway Company, Legal Department
Boston & Maine Corporation
Maine Central Railroad Company
1700 Iron Horse Park
North Billerica, MA 01862

**Subject: Abandonment of and Discontinuance of Service Over Saugus Branch – AB 32
(Sub No. 71)**

Dear Mr. Burns:

The National Park Service Northeast Regional Office has received your request for information. Due to the large number of requests received in this office, we regret that we are unable to provide an individual response to each requestor. Following is a list of the resources of interest to the National Park Service. It is your responsibility to determine if your proposed project is located in the vicinity of, and may potentially affect, any of the listed resources and contact the manager of the specific resource for more information.

National Parks

The National Park System is comprised of over 380 areas throughout the U.S. and its territories. Management responsibility for each National Park unit lies with the Superintendent of that unit. Units of the National Park System can be located by commonly available materials such as highway and county road maps, or USGS topographic maps. Information about specific National Park units and contact information can be found at www.nps.gov.

National Historic Landmarks

National Historic Landmarks (NHLs) are nationally significant historic resources that possess exceptional value or quality in illustrating or interpreting the heritage of the United States. Information on NHLs can be found at <http://www.cr.nps.gov/nhl/INDEX.htm>. The primary contact regarding potential effects of your proposed project on NHLs is the State Historic Preservation Officer (SHPO). Contact information for SHPOs by state can be found at <http://www.ncshpo.org/stateinfolist/fulllist.htm>. If your project could have an effect on a NHL you should include our Preservation Assistance Office/NHL Program Manager as an interested party and provide information regarding the issues that may affect NHLs. In the event that the SHPO determines your project will have an adverse effect on a NHL under the Historic Preservation Act's Section 106 review process, you must then contact the NHL Program Manager and offer the NPS an opportunity to formally consult with your agency. Information on the 106

process should be sent to Bill Bolger at the National Park Service, 200 Chestnut Street, Philadelphia, PA 10106 or by e-mail to bill_bolger@nps.gov.

National Natural Landmarks

The National Natural Landmarks Program recognizes and encourages the conservation of outstanding examples of our country's natural history in both public and private ownership. The National Park Service administers the National Natural Landmark Program and, if requested, assists National Natural Landmark owners and managers with the conservation of these important sites. A guide to National Natural Landmarks by state and contact information for National Natural Landmarks can be found at <http://www.nature.nps.gov/nml/>.

National Heritage Areas

National Heritage Areas are places where natural, cultural, historic and recreational resources combine to form a cohesive, nationally distinctive landscape arising from patterns of human activity shaped by geography. National Heritage Areas may be managed by a State or local agency, a commission, or a private nonprofit corporation. The National Park Service provides technical and financial assistance for a limited time (usually 10-15 years) following designation. A list of National Heritage Areas and contact information can be found at <http://www.cr.nps.gov/heritageareas/CNTC/INDEX.HTM>.

National Trails System

The National Trails System is the network of scenic, historic, and recreation trails created by the National Trails System Act of 1968. These trails provide for outdoor recreation needs, promote the enjoyment, appreciation, and preservation of open-air, outdoor areas and historic resources, and encourage public access and citizen involvement. The National Trails System Act made it Federal policy to recognize and promote trails by providing financial assistance, support of volunteers, coordination with States, and other authorities. As a result, 8 National Scenic Trails and 15 National Historic Trails have been established by act of Congress, and are administered by the National Park Service, the USDA Forest Service, and the Bureau of Land Management, depending on the trail, and over 800 national recreation trails have been designated through recognition by the Secretaries of Agriculture and Interior; and 2 side-and-connecting trails have also been certified. More detail and contact information for these trails can be found at http://www.nps.gov/nts/nts_trails.html. A state-by-state list of National Recreational Trails with contact information can be found at <http://www.americantrails.org/nationalrecreationtrails>.

Land and Water Conservation Fund

The Land and Water Conservation Fund program provides matching grants to States and local governments for the acquisition and development of public outdoor recreation areas and facilities. The Land and Water Conservation Fund is administered for the NPS through the state. Contact the State Liaison Officer directly for information regarding potential effects of your project. Contact information for State Liaison Officers can be found at http://www.nps.gov/ncrc/programs/lwcf/contact_list.html.

Urban Park and Recreation Recovery Program

The Urban Park and Recreation Recovery Program provides direct Federal assistance to urban

localities for rehabilitation of critically needed recreation facilities. The Urban Park and Recreation Recovery Program is administered by the National Park Service. A list of funded cities and contact information for the Urban Park and Recreation Recovery Program can be found at <http://www.nrc.nps.gov/uparr/>. If your project occurs in one of the funded or eligible cities, contact the Urban Park and Recreation Recovery Program directly for more information regarding potential effects of your project.

Wild and Scenic Rivers

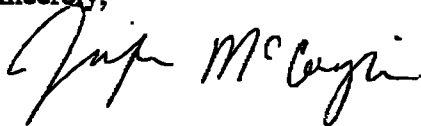
The National Wild and Scenic Rivers System preserves certain rivers with outstanding scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values in a free-flowing condition for the enjoyment of present and future generations. There are four primary federal agencies charged with protecting and managing wild and scenic rivers: the Bureau of Land Management, the US Forest Service, the US Fish and Wildlife Service, and the National Park Service. A list of designated rivers and contact information can be found at <http://www.rivers.gov/wildriverslist.html>. This website also contains information about the Nationwide Rivers Inventory (NRI), which is an additional list of river segments with significant natural and/or cultural values that should be considered in the planning process.

Wilderness Areas

The Wilderness Act of 1964 originated out of a national concern over trends affecting roadless areas on the national forests. But it was also applied to lands in the National Park System because of concerns about the erosion of roadless blocks within units of the National Park System. The Wilderness Act supplements the NPS's basic statutory authority. It serves as a permanent zoning device, with national legal sanction, determining where roads and structures will not intrude. A list of National Park Service Wilderness Areas and contact information can be found at <http://wilderness.nps.gov/maplocator.cfm>.

Thank you for your interest in the National Park Service and its programs.

Sincerely,



Jennifer McConaghie
Resource Planning and Compliance Program
National Park Service, Northeast Regional Office
200 Chestnut Street
Philadelphia, PA 19106



PAN AM
RAILWAYS

SPRINGFIELD TERMINAL RAILWAY COMPANY
BOSTON & MAINE CORPORATION
MAINE CENTRAL RAILROAD COMPANY

1700 IRON HORSE PARK
NORTH BILLERICA, MA 01862

RECEIVED TH

MAY 10 2010

MASS. HIST. COMM

16784

LEGAL DEPARTMENT
(978) 663-1215
Fax (978) 663-1213

May 7, 2010

To: Service List

Re: Abandonment of and Discontinuance of Service
Over Saugus Branch – AB 32 (Sub No. 71)

Ladies and Gentlemen:

The Boston and Maine Corporation and the Springfield Terminal Railway Company intends to file a Notice of Exemption with the Surface Transportation Board regarding the abandonment of an approximately 9.74 mile line of railroad known as the Saugus Branch in Everett, Malden and Saugus, Massachusetts. A map depicting the portion of the line to be abandoned is attached hereto.

In connection with the Notice of Exemption, federal regulations at 49 CFR § 1105.7 and § 1105.8 require that we prepare an Environmental/Historical Report after consulting with and gathering information from your office regarding the anticipated impact of the proposed action on environmental and historical resources. Your input is welcome. Because time is of the essence, however, kindly forward an comments and any relevant information to the undersigned at your earliest convenience, and in any event, no later than two weeks from receipt of this letter. If you know of no adverse effect that the proposed abandonment and discontinuance of service will have, and/or do not object to the proposed action, I would appreciate your so notifying the undersigned in writing.

Thank you for your cooperation. If you have any questions, please do not hesitate to call.

Very truly yours,

Robert B. Burns, Esq.
Corporate Counsel

After review of MHC files and the materials you submitted, it has been determined that this project is unlikely to affect significant historic or archaeological resources.


Jonathan K. Patton
Archaeologist / Preservation Planner
Massachusetts Historical Commission

5/17/10
Date

Enclosure

**CERTIFICATE OF COMPLIANCE WITH NOTICE
REQUIREMENTS OF 49 C.F.R. 1105.11 AND 105.7**

Pursuant to 49 C.F.R. 1105.11 and 1105.7 (b) & (c), I hereby certify that on June 4, 2010, a copy of the Environmental/Historical Report was served upon the parties listed below, via First Class Mail, postage prepaid:


Robert B. Burns

Financial Assistant
Department of Housing and
Community Development
One Congress Street, 10th Floor
Boston, MA 02114

Regional Director
Commonwealth of Massachusetts
Department of Environmental Protection
Northeast Regional Office
205B Lowell Street
Wilmington, MA 01887

Commonwealth of Massachusetts
Executive Office of Environmental Affairs
Coastal Zone Management Program
251 Causeway Street, STE 800
Boston, MA 02114-2138

Mayor
City of Everett
484 Broadway
Everett, MA 02149

Mayor
City of Lynn
3 City Hall Square
City Hall – Room 306
Lynn, MA 01901

Mayor
City of Malden
200 Pleasant Street
Malden, MA 02148

Mayor
City of Revere
281 Broadway
Revere, MA 02151

Town Manager
Town of Saugus
298 Central Street
Saugus, MA 01906

Office Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency
New England, Region 1
1 Congress Street, STE 1100
Boston, MA 02114-2023

New England Field Office
U.S. Department of Interior
Fish & Wildlife Service
70 Commercial Street, STE 300
Concord, NH 03301

Chief, Public Affairs Office
New England District
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Regional Director
Northeast Region
National Park Service
U.S. Customs House
200 Chestnut Street, 5th Floor
Philadelphia, PA 19106

District Conservationist
USDA – NRCS
319 Littleton Road, STE 205
Westford, MA 01886-4133

Spatial Reference System Division
National Geodetic Survey
NOAA, N/NGS2
1315 East-West Highway
Silver Spring, MD 20910-3293

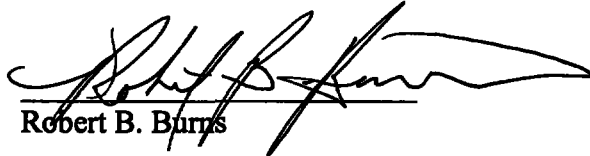
Director of Architectural Review
Massachusetts Historical Commission
220 Morrissey Blvd.
Boston, MA 02125

EXHIBIT F

VERIFICATION

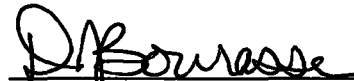
Commonwealth of Massachusetts)
Middlesex County)

Robert B. Burns, being duly sworn, states that he is an Attorney for the Boston & Maine Corporation; that he is authorized to verify and file with the Surface Transportation Board the foregoing Notice of Exemption in Docket No. AB 32 (Sub No. 71x) on behalf of the Boston & Maine Corporation; that he has carefully examined all of the statements in the Notice of Exemption; and that all representations set forth therein are true and correct to the best of his knowledge, information and belief.


Robert B. Burns

COMMONWEALTH OF MASSACHUSETTS

Subscribed and sworn to before me, Deborah J Bourassa
a Notary Public in and for the Commonwealth of Massachusetts,
Middlesex County, this 30th day of June, 2010.

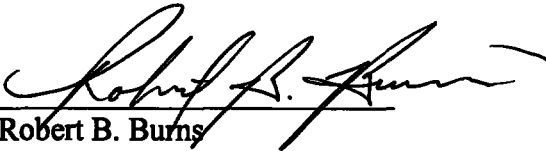

Notary Public
My Commission Expires: Feb 3, 2017



DEBORAH J. BOURASSA
Notary Public
Commonwealth of Massachusetts
My Commission Expires
February 3, 2017

**CERTIFICATION REQUIRED IN
49 C.F.R. § 1105.12**

In accordance with 49 C.F.R. § 1105.12, I hereby certify that with respect to the line, which is the subject of the Notice of Exemption in Docket No. AB 32 (Sub No. 71x), I have published a notice in a newspaper of general circulation in each county in which the line is located before the date of the Notice of Exemption was filed (see attached certification of the Boston Globe)


Robert B. Burns

Dated: June 30, 2010

Ad Number 2000359239
ID: Notice of Intent
Class: LEGAL
Begin Date: 6/24/2010
End Date: 6/24/2010

BOSTON AND MAINE CORPORATION
IRON HORSE PARK
NORTH BILLERICA, MA 01862

To place an ad: 617-929-1500

The Boston Globe

CERTIFIED

Below is your advertisement from THE BOSTON GLOBE, beginning 6/24/2010 and ending 6/24/2010, appearing 1 time(s) in Classification, LEGAL.

Thank you!
Boston Globe Advertising

Notice of Intent to Abandon and to Discontinue Rail Service

Boston and Maine Corporation ("B&M") hereby gives notice that on or about June 29, 2010, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting the abandonment of and discontinuance of service on) a 9.74 -mile line of railroad between railroad milepost 2.69 to milepost 12.43, which traverses through United States Postal Service ZIP Codes 02149, 02151, 02148, 01905 and 01906 in Middlesex, Suffolk and Essex Counties, Massachusetts. The proceeding will be docketed as No. AB 32, (Sub-No 71X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA) which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 565-1526.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423-0001 (see 49 CFR 1104.1(a) and 1104.3(a)), and one copy must be served on applicants' representative. See 49 CFR 1104.12(a). Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative.
Robert B. Burns, Esq.
Corporate Counsel
Boston & Maine Corporation
1700 Iron Horse Park
North Billerica, MA 01862